

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42229 of 2025

Arising Out of PS. Case No.-285 Year-2024 Thana- HAJIPUR SADAR District- Vaishali

Ravi Kumar, Son of Jaglal Paswan, R/o Village - Chaksakra, Ward No.- 8,
P.S.- Hajipur Sadar, District – Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mrs. Rina Sinha, Advocate Mr. Dharendra Prasad Sinha, Advocate
For the State	:	Md. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 21-08-2025 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection with Hajipur Sadar P.S. Case No.285 of 2024 (N.D.P.S. Case No.36 of 2025) registered for the offences punishable under Sections 399, 402, 412 of the Indian Penal Code (in short ‘IPC’), Section 25(1-B)a, 26, 35 of the Arms Act as well as Sections 8 and 20(b)(ii)(C) of the Narcotic Drugs and Psychotropic Drugs Act (in short ‘N.D.P.S. Act’)

3. The accused/petitioner is named in the FIR and is in custody since 06.05.2024.

4. Allegation against the petitioner is to involve in preparation for dacoity along with other co-accused persons,



where from possession of one of the co-accused Briju Kumar recovery of 1.140 gms of *charas* was made.

5. It is submitted by learned counsel that nothing transpired during investigation which may suggest that the co-accused persons were gathered for preparation of dacoity and merely as petitioner was found in possession of one country-made pistol, it cannot be said so that gathering was formed for preparation of dacoity. It is submitted that the alleged contraband was recovered admittedly from possession of co-accused namely, Birju Kumar, which was not in the knowledge of petitioner and, therefore, the import of Sections 35 and 37 of the N.D.P.S. Act not appears applicable in present factual scenario. It is pointed out that considering the aforesaid aspect, other co-accused persons, namely, Subodh Kumar and Adarsh Raj were granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No.55499 of 2024 and Cr. Misc. No.55639 of 2024 dated 26.10.2024 respectively and on the ground of judicial parity, this petitioner also deserves bail. While concluding argument, it is submitted that investigation of this case is already



completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence and moreover the petitioner found involved in four more criminal cases, where he is on bail and in maximum of cases, his name transpired on the basis of confessional statement of co-accused having otherwise no evidentiary value under law.

6. Learned APP opposed the prayer for grant of bail to the petitioner.

7. In view of aforesaid factual submissions and by taking note of fact as *prima facie* alleged contraband admittedly not appears to be recovered from conscious physical possession of this petitioner, coupled with the fact that several other co-accused persons, as mentioned above, have already granted bail by one of the learned co-ordinate Bench of this Court, where petitioner remains in custody since 06.05.2024, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge-I-cum-Special Judge NDPS,



Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No.285 of 2024, NDPS 36 of 2025, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short ‘CrPC’)/under Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita (for short ‘BNSS’).

(Chandra Shekhar Jha, J.)

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